

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

CHIMERIC PROTEINS FOR USE IN TRANSPORT OF A SELECTED SUBSTANCE INTO CELLS

the specification of which (check one)

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>Prior Foreign Application(s)</u>			Priority Claimed	
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(Status, patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status, patented, pending, abandoned)

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

I also hereby grant additional Powers of Attorney to the following attorney(s) and/or agent(s) to file and prosecute an international application under the Patent Cooperation Treaty based upon the above-identified application, including a power to meet all designated office requirements for designated states.

David E. Brook	Registration No. 22,592
James M. Smith	Registration No. 28,043
Leo R. Reynolds	Registration No. 20,884
Richard A. Wise	Registration No. 18,041
Patricia Granahan	Registration No. 32,227
Mary Lou Wakimura	Registration No. 31,804
Thomas O. Hoover	Registration No. 32,470
Alice O. Carroll	Registration No. 33,542
N. Scott Pierce	Registration No. 34,900

all of Hamilton, Brook, Smith and Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02173;

and

Send correspondence to: Patricia Granahan, Esq.  
Hamilton, Brook, Smith & Reynolds, P.C.  
Two Militia Drive, Lexington, MA 02173

Direct telephone calls to: Patricia Granahan, Esq.

617-861-6240

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole  
or first inventor Michael W. Heartlein  
Inventor's  
Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence 167 Reed Farm Road  
Boxborough, Massachusetts 01719  
Citizenship U.S.A.  
Post Office Address same as above

Full name of second joint  
inventor, if any Jeffrey F. Lemontt  
Second Inventor's  
Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence 165 Fairway Drive  
West Newton, Massachusetts 02165  
Citizenship U.S.A.  
Post Office Address same as above

Full name of third joint  
inventor, if any \_\_\_\_\_  
Third Inventor's  
Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Full name of fourth joint  
inventor, if any \_\_\_\_\_  
Fourth Inventor's  
Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

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Chimeric Proteins for Use in Transport of a Selected

Substance into Cells

the specification of which (check one)

☐ is attached hereto.

☒ was filed on June 6, 1995 as United States Application

Number or PCT International Application Serial No. 08/470,058

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

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Prior Foreign Application(s)

Priority  
Not  
Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[ ]
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[ ]
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[ ]

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(Status, patented, pending, abandoned)
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James M. Smith	Reg. No. 28,043	Alice O. Carroll	Reg. No. 33,542
Leo R. Reynolds	Reg. No. 20,884	N. Scott Pierce	Reg. No. 34,900
Patricia Granahan	Reg. No. 32,227	Richard A. Wise	Reg. No. 18,041
Mary Lou Wakimura	Reg. No. 31,804		

all of Hamilton, Brook, Smith and Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02173;

and send correspondence to: Patricia Granahan, Esq.,  
Hamilton, Brook, Smith & Reynolds, P.C.  
Two Militia Drive, Lexington, MA 02173

Direct telephone calls to: Patricia Granahan, Esq.  
Hamilton, Brook, Smith & Reynolds, P.C.  
Two Militia Drive, Lexington, MA 02173

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Full name of sole

or first inventor Michael W. Heartlein

Inventor's

Signature

Residence 167 Reed Farm Road

Boxborough, MA 01719

Citizenship

U.S.A.

Post Office Address

same

Date September 11, 1995

Full name of second joint

inventor, if any Jeffrey F. Lemontt

Second Inventor's

Signature Jeffrey F. Lemontt

Date Sept 12, 1995

Residence 165 Fairway Drive

West Newton, MA 02165

Citizenship U.S.A.

Post Office Address same

Full name of third joint

inventor, if any Michael F. Concino

Third Inventor's

Signature Michael F. Concino

Date Sept. 11, 1995

Residence 76 Athelstane Road

Newton, MA 02159

Citizenship U.S.A.

Post Office Address same

Full name of fourth joint

inventor, if any \_\_\_\_\_

Fourth Inventor's

Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of fifth joint

inventor, if any \_\_\_\_\_

Fifth Inventor's

Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Applicant or Patented: Michael W. Heartlein and Jeffrey F. Lemontt Attorney's  
Serial or Patent No.: 08/470,058 Docket No.: TKT93-01  
Filed or Issued: June 6, 1995  
For: CHIMERIC PROTEINS FOR USE IN TRANSPORT OF A SELECTED SUBSTANCE INTO CELLS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN)

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf  
of the concern identified below:

NAME OF CONCERN Translaryotic Therapies, Inc.  
ADDRESS OF CONCERN 195 Albany Street  
Cambridge, Massachusetts 02139

I hereby declare that the above identified small business concern qualifies  
as a small business concern as defined in 13 CFR 121.12, and reproduced in  
37 CFR 1.9(d), for purposes of paying reduced fees to the United States  
Patent and Trademark Office, in that the number of employees of the  
concern, including those of its affiliates, does not exceed 500 persons.  
For purposes of this statement, (1) the number of employees of the business  
concern is the average over the previous fiscal year of the concern of the  
persons employed on a full-time, part-time or temporary basis during each  
of the pay periods of the fiscal year, and (2) concerns are affiliates of  
each other when either, directly or indirectly, one concern controls or has  
the power to control the other, or a third party or parties controls or has  
the power to control both.

I hereby declare that rights under contract or law have been conveyed to  
and remain with the small business concern identified above with regard to  
the invention, entitled CHIMERIC PROTEINS FOR USE IN TRANSPORT OF A SELECTED SUBSTANCE  
INTO CELLS by inventor(s) Michael W. Heartlein and Jeffrey F. Lemontt

described in

- ☐ the specification filed herewith  
☒ application serial no. 08/470,058, filed June 6, 1995  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING \_\_\_\_\_ Richard F. Selden

TITLE OF PERSON OTHER THAN OWNER \_\_\_\_\_ President and Chief Executive Officer

ADDRESS OF PERSON SIGNING \_\_\_\_\_ Transkaryotic Therapies, Inc.

195 Albany Street, Cambridge, Massachusetts 02139

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

080495